

doth not appear to be warranted by the Said Judgm^t and So Erronious Vari-ous and Void in Law.

4. If the Same 2253th tob. were Supposed to be for Costs of Suit they are illegall and excessive and it is a Rule of this Court that if any preferr a bill of Costs against any person that Shall exceed in any one perticular the Customary Costs or Usuall allowance that is given by the Court Shall loose the whole Costs exprest or demanded which makes the Said Attachm^t further Erronious and Void in Law.

5. The Said Defend^t being gone into the Colony of Virg^a about his necessary occasions did leave at his house in Saint Maries County an Attorney in his absence and Although his habitation was there in [27] which he had a plentifull Visible Estate to Satisfye his Credit^{rs} Yet advantage being taken of his absence as afore Said, the plan^t and Severall other of his Credit^{rs} there. Endeavouring to Ruin the Defts. concernes in that County did Impleade the Def^t in the Said County and clandestinely got Attachm^{ts} against Law as afore Said without giving notice to the Def^t at his house at St^t Maries or to his Attorney there and though at the Said twelfth of Jan^{ry} afore Said the Said Lynes offered to appear to this present Action and to these Severall Actions Commenced against him and to give good and Sufficient bayle to the Same and So dissolve the Attachm^{ts} and proceed according to the rule in Law Yet unless the Def^t did procure distinct bayle to the Severall Actions by Severall and distinct persons which was impossible for him to do then the Court would not accept of the Def^{ts} appearance to the Said Actions but proceeded immediately to Condemnation and Judgm^t and have by Such irregular and arbitrary proceedings taken away all or most of the Def^{ts} Negroes Servants and Stocks ag^t all rule of Law and Justice. For all which Causes the Said Phillip prays Judgm^t and Execution may be Set a Side and held for nought and that he to all things he hath thereby susteyned may be restored.

G: Plater

Now here at this day to Witt the Tenth day of May in the Sixth Year of their Ma^{ties} Reign etc. Annoque Domi 1694. Came the Said Parties by their Attorneys afore Said and this Cause Standing for Tryall the record process and proceedings afore Said to the rendering of Judgment of Charles County Court afore Said, and the afore Said reasons by the Said Philip Lynes for Errors assigned being Soon read and heard and by the Justices here fully understood and diligently examined and for that it appeareth to the Same Justices here that in the Record and proceedings afore Said as also in the rendring of Judgm^t afore Said it is manifestly Erronious Therefore it is Considered by the Justices here that the Judgm^t for the Errors assigned by the Said philip Lynes afore Said be revoked Annulled and altogether held for nothing and that the Said Phillip Lynes unto all things which by the occasion of the Judgment afore Said he hath lost be restored and that the Said Phillip Lynes Recover against the Said Henry Hawkins the Summe of